

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEREMY NICHOLSON-CHILTON,

Plaintiff,

v.

UNKNOWN,

Defendant.

No. 2:20-cv-1624 AC P

ORDER

Plaintiff, a county inmate at Sacramento County Jail, has filed a document styled “Class Action Lawsuit Settlement,” seeking relief from possible COVID-19 exposure in the county jail. No other pleadings have been filed by the plaintiff. In order to commence an action, plaintiff must file a complaint as required by Rule 3 of the Federal Rules of Civil Procedure, and plaintiff must either pay the required filing fee or file an application requesting leave to proceed in forma pauperis.<sup>1</sup> See 28 U.S.C. §§ 1914(a), 1915(a). The court will not issue any orders granting or denying relief until an action has been properly commenced. Therefore, plaintiff’s motion will be denied without prejudice. Plaintiff will be provided the opportunity to file his complaint, and to submit an application requesting leave to proceed in forma pauperis or to submit the appropriate filing fee.

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<sup>1</sup> If leave to file in forma pauperis is granted, plaintiff will still be required to pay the filing fee but will be allowed to pay it in installments.

1 The revised in forma pauperis application form includes a section that must be completed  
2 by a prison official, which must be accompanied by a certified copy of the prisoner's jail trust  
3 account statement for the six-month period immediately preceding the filing of this action.

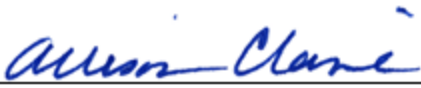
4 In accordance with the above, IT IS HEREBY ORDERED that:

5 1. Plaintiff's August 13, 2020 "Class Action Lawsuit Settlement," to the extent it seeks  
6 any relief or court action, is denied without prejudice;

7 2. Plaintiff is granted thirty days from the date of service of this order to file a complaint  
8 that complies with the requirements of the Civil Rights Act, the Federal Rules of Civil Procedure,  
9 and the Local Rules of Practice; the complaint must bear the docket number assigned this case;  
10 plaintiff must file an original and two copies of the complaint. Plaintiff shall also submit, within  
11 thirty days from the date of this order, the application to proceed in forma pauperis on the form  
12 provided by the Clerk of Court, or the filing fee in the amount of \$400.00.<sup>2</sup> Plaintiff's failure to  
13 comply with this order will result in a recommendation that this matter be dismissed; and

14 3. The Clerk of the Court is directed to send plaintiff the court's form for filing a civil  
15 rights action, and the application to proceed in forma pauperis by a prisoner.

16 DATED: August 17, 2020

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18 ALLISON CLAIRE  
19 UNITED STATES MAGISTRATE JUDGE  
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27 <sup>2</sup> The \$400.00 is comprised of the \$350.00 filing fee and a \$50.00 administrative fee. If plaintiff  
28 is granted leave to proceed in forma pauperis, plaintiff is not required to pay the \$50.00  
administrative fee.